

OFFICIAL

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/710,895 Confirmation No. **4894**
Applicant : Boris A. Movchan et al.
Filed: : August 11, 2004
TC/Art Unit: : 1792
Examiner : Francis P. Smith

Docket No. : 13DV-13975-4
Customer No. : 30952

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

DECLARATION UNDER 37 CFR §1.132

I, RAMGOPAL DAROLIA, depose and say that:

(1) I am a joint inventor of the subject matter covered by each of the claims pending in the above-identified U.S. Patent Application Serial No. 10/710,895 (the "Application").

(2) Claims 11 and 17-20 of the Application are rejected as claiming subject matter found in U.S. Patent No. 6,492,038 to Rigney et al. ("Rigney").

(3) I conceived or invented the subject matter that has been cited as being disclosed but not claimed in Rigney, namely, co-evaporating ceramic

and carbon-containing materials and then sintering the resulting coating to yield a thermal barrier coating containing elemental carbon and entrapped carbon-containing gas. As such, this subject matter relied on to reject claims 11 and 17-20 was derived from me and is thus not the invention "by another."

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Ramgopal Darolia